

# HOUSE . . . . . No. 656

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By Mr. Correia of Fall River, petition of Patricia A. Haddad and Robert Correia relative to the protection of victims of crime. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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AN ACT TO PROTECT THE VICTIMS OF CRIME.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 278 of the General Laws, as appearing in the 2002  
2 Official Edition, is hereby amended by adding the following new  
3 section:—  
4 Section 8B. In any tort action for damages based upon personal  
5 injury sustained by the plaintiff where the defendant shall furnish  
6 proof by a preponderance of evidence that the injury sustained by  
7 the plaintiff arose during the commission or attempted commis-  
8 sion of any offense arising under chapter two hundred and sixty-  
9 five, or any offense arising under chapter two hundred and  
10 sixty-six, Sections 1, 2, 5A, 11, 12 or 15, then the plaintiff shall be  
11 deemed to have assumed all risks of injury, whether such injury  
12 was caused intentionally or unintentionally, arising from the  
13 encounter with any victim or good Samaritan during the commis-  
14 sion or attempted commission of any such crimes, and such proof  
15 shall constitute a complete defense to this action.